

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
	William R. Freeman et al.)
)
Serial No.:	10/705,620) Art Unit
) 2828
Filed:	November 10, 2003)
)
Conf No.:	4707)
)
For:	MAGNETICALLY CONTROLLED)
	HEAT SINK)
)
Examiner:	Phillip Nguyen)
)
Customer No.:	022913)

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP: AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit this paper in response to the Office Action mailed June 11, 2007 (the "Office Action"). In the Office Action, the Examiner set forth a Restriction Requirement that identified what the Examiner has characterized as two (2) distinct inventions. In particular, the Examiner suggested in the Office Action that the present application contains claims directed to the following inventions:

- I. Claims 1-5 and 11-32, drawn to an apparatus of a microelectromechanical temperature control system, classified in class 372, subclass 36; and
- II. Claims 6-10, drawn to a method for controlling temperature, classified in class 372, subclass 34.

In response to the Restriction Requirement set forth in the Office Action, Applicants hereby elect Invention I, (claims 1-5 and 11-33 (Office Action mistakenly omits reference to claim 33) drawn to an apparatus of a microelectromechanical temperature control system) for examination without traverse.

Applicants note that while the election set forth herein is made without traverse, the mere fact that no traverse is made should not be construed as an assessment or judgment by the Applicants as to the merits, if any, of: the characterization of the claims and inventions advanced by the Examiner in the restriction requirement set forth in the Office Action; or, any other assertions, allegations, statements or characterizations made by the Examiner in that restriction requirement.

An action on the merits of elected claims 1-5 and 11-33 and a Notice of Allowance thereof are respectfully requested.

Dated this 11th day of July, 2007

Respectfully submitted,

/Peter F. Malen, Jr./

Peter F. Malen, Jr.
Attorney for Applicants
Registration No. 45,576
Customer No. 022913
Telephone No. 801-533-9800

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